



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

July 3, 2015

Water System No. 3500559

Ms. Hope Beltran, Manager
Quintero Labor Camp #1 (Wright Road)
1761 Wright Road
Hollister, CA 95023

Attention Ms. Beltran:

COMPLIANCE ORDER NO. 02_05_15R_004

VIOLATION OF CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(3)

Enclosed is a Compliance Order issued to the Quintero Labor Camp #1 (Wright Road) (hereinafter "System") public water system.

The System will be billed at the State Water Resources Control Board's (hereinafter "Water Board") hourly rate (currently estimated at \$128.00) for the time spent on issuing this Compliance Order. California Health and Safety Code Section 116577 provides that a public water system must reimburse the Water Board for actual costs incurred by the Water Board for specified enforcement actions, including, but not limited to, preparing, issuing, and monitoring compliance with a compliance order. At this time, the Water Board has spent approximately two hours on enforcement activities associated with this violation.

The System will receive a bill sent from the Drinking Water Fee Branch in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the System for the current fiscal year.

If you have any questions regarding this matter, please contact Shaminder Kler of my staff at (831) 655-6938 or me at (831) 655-6934.

Sincerely,

Jan R. Sweigert, P.E.
District Engineer, Monterey District Office
Northern California Field Operations Branch
Division of Drinking Water

Enclosures

Certified Mail No. 7008 1830 0004 5435 0783

San Benito County Environmental Health Department

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF DRINKING WATER

TO: Quintero Labor Camp #1 (Wright Road)
Water System No. 3500559

Attn: Ms. Hope Beltran, Manager
1761 Wright Road
Hollister, CA 95023

COMPLIANCE ORDER NO. 02_05_15R_004

VIOLATION OF CALIFORNIA HEALTH AND SAFETY CODE

SECTION 116555(a)(3)

Issued on July 3, 2015

The State Water Resources Control Board (hereinafter "Water Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division, hereby issues this compliance order (hereinafter "Order") pursuant to Section 116655 of the California Health and Safety Code (hereinafter "CHSC") to Quintero Labor Camp #1 (hereinafter "System") and the representative of the owner of record, Ms. Hope Beltran, for violation of CHSC Section 116555(a)(3).

A copy of the applicable statutes and regulations is included in Appendix 1, which is attached hereto and incorporated herein by this reference.

STATEMENT OF FACTS

The System is a transient non-community public water system serving a population of approximately 50 individuals through 11 service connections. The System operates under Water System Permit 02-05-05P3500559 issued by the Division on October 20, 2005.

Title 22, California Code of Regulation (hereinafter "CCR"), Division 4, Chapter 15, Article 4, establishes primary drinking water standards and monitoring and reporting requirements for inorganic constituents. All public water systems must comply with the maximum contaminant level (MCL) for Nitrate (as NO_3) of 45 mg/L, as established in Title 22, CCR, Section 64431.

The System utilizes one groundwater source (Well 1), as its source of domestic water. The raw water nitrate levels in Well 1 ranged between 71 mg/L and 120 mg/L in the monthly monitoring conducted since January 1, 2012. The System provides ion exchange (IX) nitrate removal treatment and sodium hypochlorite disinfection treatment to the raw water from Well 1.

A review of IX treatment plant monthly operation logs was included as part of the sanitary survey of the System conducted by the Division on August 11, 2014. During the review, it was found that the nitrate field test kit results for the monitoring conducted on the IX treatment plant effluent that were reported to the Division did not reflect the laboratory analysis results for nitrate in the IX treatment plant effluent, specifically the laboratory analyses results that were higher than the trigger level of 23 mg/L, during the same period of time.

On April 2, 2015, the Division conducted an inspection of the IX treatment plant and collected one sample from Well 1, one sample from the IX treatment plant effluent prior to backwash cycle, and one sample from IX treatment plant effluent after backwash cycle for analysis testing by the California Department of Public Health, Drinking Water and Radiation Laboratory Branch, Richmond, CA. All samples were analyzed by the laboratory for Nitrate-N using EPA 300.1 method, which has an MCL of 10 mg/L. The results for the sampling conducted on April 2, 2015 showing the conversion to Nitrate as NO₃ were as follows:

Sample Site	Result Nitrate as N (mg/L)	Conversion for Nitrate as N to Nitrate as NO ₃	Result converted to Nitrate as NO ₃ (mg/L)
Well 1	26.0	4.43	115.2
IX Effluent Before Backwash	7.2	4.43	32.1
IX Effluent After Backwash	9.1	4.43	40.3

Although none of the sample results from the IX treatment plant effluent exceeded the nitrate MCL, the IX treatment plant effluent sample collected after the backwash cycle had nitrate concentration close to the MCL, which was also higher than the nitrate concentration in the sample collected before the backwash, indicating that there may be a problem with the IX treatment plant.

The IX treatment plant does not have a nitrate analyzer on the effluent line. Therefore, the System is required by Water System Permit 02-05-05P3500559 to test the effluent of the IX treatment plant daily for nitrate using a field test unit to verify that the IX treatment plant is producing water that meets the MCL, and to also collect a sample for laboratory analysis weekly at the same time as a field test sample is collected as a verification of the field test kit. The System is required to report all of the results to the Division on a monthly operational log. A review of the monthly operational logs submitted to the

1 Division by the System for the last two years show that the field test kit results for the
2 daily testing were consistently reported as nitrate concentrations of 17 or 18 mg/L, while
3 during the same period, the nitrate results from laboratory analysis of samples from the
4 IX treatment plant effluent ranged from 4.3 to 37 mg/L. Therefore, the System has no
5 reliable way to test the water from the IX treatment plant daily to show that the water
6 served to the customers complies with the MCL at all times as required by Permit 02-05-
7 05P3500559.

8
9 The Division notified the System operator of the nitrate test results via electronic mail
10 dated April 10, 2015, and directed the System to immediately issue a Tier 1 Public
11 Notification to all residents served by the System. By electronic mail, dated April 13,
12 2015, the operator notified the Division that public notification would be posted later that
13 day or by the next day.

14 15 **DETERMINATIONS**

16
17 Based on the above Statement of Facts, the Division has determined that the System
18 and its owner of record have violated CHSC, Section 116555, in that the IX treatment
19 plant cannot reliably treat water produced by Well 1 to comply with the nitrate MCL and
20 uses no equipment or daily testing method to verify that the water served to the system's
21 customers meets the nitrate MCL as required in the water system permit issued to the
22 System on October 20, 2005. The Division has determined that said violation has
23 continued from April 2, 2015 and through the date of this Order.

DIRECTIVES

System is hereby directed to take the following actions:

1. On or before **June 30, 2017**, comply with CHSC, Sections 116555(a)(3) and remain in compliance.
2. On or before **July 31, 2015**, submit a written response to the Division indicating its agreement to comply with the directives of this Order and with the Corrective Action Plan addressed herein.
3. Commencing on the date of service of this Order, provide quarterly public notification in accordance with Appendix 2, hereto, of the Systems' failure to provide reliable nitrate removal treatment to the water produced by Well 1. The notice must be distributed quarterly to all employees and residents, and must be posted continuously in public areas throughout the facilities.
4. Commencing on the date of service of this Order, submit proof of each public notification conducted in compliance with Directive No. 3, herein above, within 10 days following each such notification, using the form provided as Appendix 3, hereto.
5. Prepare for Division approval, a Corrective Action Plan identifying improvements to the water system that are designed to correct the problem (unreliable nitrate treatment) and to ensure that the System delivers water to consumers that meets primary drinking water standards at all times. The plan shall include a time schedule with specific dates for completion of each of the phases of the project,

1 which may include but are not limited to: conducting a feasibility study, preparing
2 an engineering design report describing the proposed solution(s) and
3 implementing recommended solution(s). The engineering design report shall be
4 submitted to the Division, no later than **June 30, 2016**.

5
6 6. If the solution to the project includes nitrate removal treatment, the System must
7 either install a continuous nitrate analyzer on the effluent of the treatment plant or
8 acquire a hand-held or bench-top nitrate analyzer. The analyzer must be capable
9 of producing accurate readings of the nitrate in the water without interference of
10 other constituents present in the water from Well 1. A description of the proposed
11 analyzer must be submitted to the Division for approval prior to purchase and
12 installation.

13
14 7. On or before **September 15, 2015**, contact the Division to schedule a date to
15 present the Corrective Action Plan required under Directive No. 5, above, to the
16 Division in person. This meeting may take place at either the System's office or at
17 the Division's office located at 1 Lower Ragsdale Drive, Building 1, Suite 120, in
18 Monterey, California. Please contact the Monterey District office in advance to
19 schedule an appointment.

20
21 8. Timely perform the Division approved Corrective Action Plan and each and every
22 element of said plan according to the time schedule set forth therein.

23
24 9. On or before **December 31, 2015**, and every three months thereafter, submit a
25 report to the Division in the form provided as Appendix 4, hereto, showing actions
26 taken during the previous calendar three months to comply with the Corrective
27 Action Plan.

1 10. Notify the Division in writing no later than five (5) days prior to the deadline for
2 performance of any Directive set forth herein if the System and/or its owner of
3 record anticipate it will not timely meet such performance deadline.

4
5 11. Continue to monitor the IX treatment plant effluent for nitrate at least weekly by
6 lab analysis.

7
8 All submittals required by this Order shall be addressed to:

9
10 Jan R. Sweigert, P.E.
11 District Engineer, Monterey District Office
12 State Water Resources Control Board, Division of Drinking Water
13 1 Lower Ragsdale Drive, Building 1, Suite 120
14 Monterey, CA 93940

15
16 As used in this Order, the date of issuance shall be the date of this Order; and the date of
17 service shall be the date of service of this Order, personal or by certified mail, on the
18 System or its owner of record.

19
20 The Division reserves the right to make such modifications to this Order and/or to issue
21 such further order(s) as it may deem necessary to protect public health and safety. Such
22 modifications may be issued as amendments to this Order and shall be deemed effective
23 upon issuance.

24
25 Nothing in this Order relieves the System or its owner of record of its obligation to meet
26 the requirements of the California Safe Drinking Water Act (hereinafter "SDWA"), or any
27 regulation, standard, permit or order issued thereunder.

PARTIES BOUND

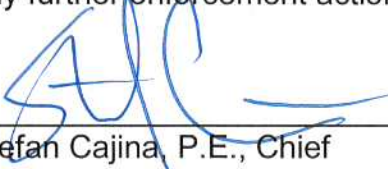
This Order shall apply to and be binding upon the System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

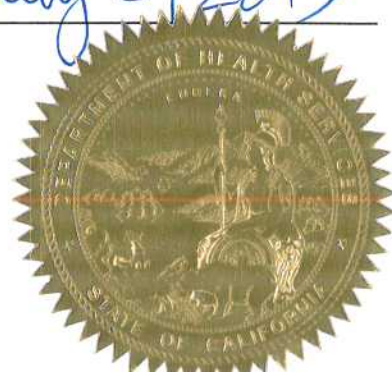
The Directives of this Order are severable, and the System and its owner of record shall comply with each and every provision hereof, notwithstanding the effectiveness of any other provision.

FURTHER ENFORCEMENT ACTION

The California SDWA authorizes the Water Board to: issue a compliance order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the Water Board; and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the Water Board. The Water Board does not waive any further enforcement action by issuance of this compliance order.


Stefan Cajina, P.E., Chief
North Coastal Section
State Water Resources Control Board
Division of Drinking Water


Date



1 Appendices (4):
2

- 3 1. Applicable Statutes and Regulations
4 2. Notification Template
5 3. Compliance Certification Form
6 4. Quarterly Corrective Action Plan Progress Report
7

8 Certified Mail No. 7008 1830 0004 5435 0783

**APPENDIX 1: APPLICABLE AUTHORITIES
FOR COMPLIANCE ORDER NO. 02_05_15R_004**

Section 116555 of the CHSC states in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
 - (1) Complies with primary and secondary drinking water standards.
 - (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116655 of the CHSC states in relevant part:

- (a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:
 - (1) Directing compliance forthwith.
 - (2) Directing compliance in accordance with a time schedule set by the department.
 - (3) Directing that appropriate preventive action be taken in the case of a threatened violation.
- (b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:
 - (1) That the existing plant, works, or system be repaired, altered, or added to.
 - (2) That purification or treatment works be installed.
 - (3) That the source of the water supply be changed.
 - (4) That no additional service connection be made to the system.
 - (5) That the water supply, the plant, or the system be monitored.
 - (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the department.

California Code of Regulations, Section 64431 states in relevant part:

Public water systems shall comply with the primary MCLs in Table 64431-A as specified in this article.

Table 64431-A
Maximum Contaminant Levels
Inorganic Chemicals

<i>Chemical</i>	<i>Maximum Contaminant Level, mg/L</i>
Aluminum	1.
Antimony	0.006
Arsenic	0.010
Asbestos	7 MFL*
Barium	1.
Beryllium	0.004
Cadmium	0.005
Chromium	0.05
Cyanide	0.15
Fluoride	2.0
Hexavalent Chromium	0.010
Mercury	0.002
Nickel	0.1
Nitrate (as NO ₃)	45.
Nitrate+Nitrite (sum as nitrogen)	10.
Nitrite (as nitrogen)	1.
Perchlorate	0.006
Selenium	0.05
Thallium	0.002

MFL=million fibers per liter; MCL for fibers exceeding 10 um in length.

DRINKING WATER WARNING

Quintero Labor Camp Water System has high levels of nitrate.

DO NOT GIVE THE WATER TO INFANTS UNDER 6 MONTHS OLD OR PREGNANT WOMEN

Water samples collected on 04-02-2015 showed the nitrate results after Nitrate Removal Treatment to be inconsistent. Due to this inconsistency the quality of water at Quintero Labor Camp cannot be assured. Therefore the Nitrate level in the water will be considered above the nitrate drinking water standard, which has a maximum contaminant level (MCL) of 45 mg/L. Nitrate in drinking water is a serious health concern for infants less than six months old.

What should I do?

- **DO NOT GIVE THE WATER TO INFANTS OR PREGNANT WOMEN.** *Infants below the age of six months who drink water containing nitrate in excess of the MCL may quickly become seriously ill and, if untreated, may die because high nitrate levels can interfere with the capacity of the infant's blood to carry oxygen. Symptoms include shortness of breath and blueness of the skin. High nitrate levels may also affect the oxygen-carrying ability of the blood of pregnant women.*
- **WATER, JUICE, AND FORMULA FOR CHILDREN UNDER SIX MONTHS OF AGE SHOULD NOT BE PREPARED WITH TAP WATER.** Bottled water or other water low in nitrate should be used for infants and pregnant women until further notice.
- **DO NOT BOIL THE WATER.** Boiling, freezing, filtering, or letting water stand does not reduce the nitrate level. Excessive boiling can concentrate the nitrate, because nitrate remains behind when the water evaporates.
- Non-pregnant women, men, and children older than six months can drink the tap water (nitrate is a concern for infants because they cannot process nitrate in the same way adults can).

What happened? What is being done?

Nitrate in drinking water can come from natural, industrial, or agricultural sources (including septic systems and run-off). Levels of nitrate in drinking water can vary throughout the year. We will let you know when the amount of nitrate is again below the drinking water standard.

Additional samples are being collected to confirm the high nitrate concentration.

For more information, please contact Thomas A. Estrada at 831 245-7595 or Quintero LC, Wright Road, Hollister CA. 95023 address).

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by Quintero Labor Camp State Water System ID#: 3500559

Date distributed: _____

AVISO SOBRE SU AGUA POTABLE

El Agua del sistema (Water System Name) tiene altos niveles de nitrato

**NO DAR DE BEBER ESTA AGUA A BEBES MENORES DE 6 MESES DE EDAD, NI USARLA PARA HACER LECHE DE FORMULA
NO TOME EL AGUA DE LA LLAVE SI ESTA EMBARAZADA**

El resultado de una muestra de agua tomada en (date) muestra que la concentración de nitrato en el agua es de (result) miligramos por litro (mg/l). Este nivel de nitrato está por encima de la norma, la cual establece un nivel máximo de contaminación (NMC) de 45 mg/l. Nitrato en el agua potable puede generar serios problemas de salud para bebés menores de 6 meses de edad.

¿Que debo hacer?

- **NO LE DE ESTA AGUA A BEBES O A MUJERES EMBARAZADAS.** *Bebés menores de seis (6) meses que ingieran agua con nitrato en exceso del nivel máximo de contaminación (NMC) se pueden enfermar seriamente y, de no ser tratados, pueden morir. Los síntomas incluyen dificultad en respirar y síndrome de bebé azul.* El síndrome de bebé azul se refiere al color azulado que toma la piel del bebé. Los síntomas en los bebés pueden desarrollarse con rapidez, con el deterioro de su salud en los días subsiguientes. Si los síntomas ocurren en infantes menores de seis (6) meses de edad, busque atención médica inmediatamente. Ingerir agua con nitrato en exceso del nivel máximo de contaminación también puede afectar a mujeres embarazadas reduciendo la capacidad de la sangre para transportar oxígeno.
- AGUA, JUGO O LECHE EN POLVO PARA BEBÉS MENORES DE SEIS (6) MESES DE EDAD NO DEBE PREPARARSE CON AGUA DEL GRIFO (LA LLAVE). Mujeres embarazadas y bebés menores de 6 meses deben emplear agua embotellada u otra agua baja en nitrato hasta próximo aviso.
- **No hierva el agua.** Hervir, congelar, filtrar o dejar el agua en reposo no reduce el nivel de nitrato. De hecho, al hervir el agua puede aumentar aún más la concentración de nitrato, debido a que el nitrato permanece cuando parte del agua se evapora.
- Mujeres no embarazadas, hombres, e infantes mayores de seis (6) meses de edad pueden tomar el agua del grifo. (El nitrato es peligroso para los bebés debido a que ellos no pueden procesar el nitrato de la misma manera que los adultos). Sin embargo, si usted está embarazada o tiene algún problema de salud en particular, puede optar por hacer una consulta con su médico.

¿Qué pasó? ¿Qué se está haciendo al respecto?

Nitrato en el agua puede provenir de fuentes naturales, industriales o de la agricultura (incluyendo descargas de tanques sépticos y lluvias). La concentración de nitrato en el agua potable puede variar a lo largo del año. Nosotros les avisaremos cuando el nivel de nitrato esté nuevamente debajo del nivel máximo de contaminación.

El sistema de agua potable tomará muestras adicionales para confirmar la alta concentración de nitrato en el agua de beber. Para mayor información, favor contactar a (name of water system contact) al teléfono (phone number) o escribiendo a (water system mailing address).

Por favor comparta esta información con otros que pueden tomar de esta agua, colocando este aviso en lugares visibles, o remitiéndolo por correo, o entregándolo manualmente. Es de particular interés distribuir este aviso ampliamente si usted lo recibe representando un negocio, un hospital u hogar de infantes u hogar de ancianos o comunidad residencial.

Este aviso ha sido enviado a usted por: (water system name).

Numero de Identificación : (water system number).

Fecha de distribución: (date of distribution)

Appendix 3

PROOF OF NOTIFICATION

Failure To Provide Reliable Nitrate Removal Treatment

COMPLIANCE ORDER NO.: 02_05_15R_004

Name of Water System: Quintero Labor Camp #1 (Wright Road)

System Number: 3500559

CERTIFICATION

As required by Section 116450 of the California Health and Safety Code, I notified the users of the water supplied by _____ of the failure to provide reliable nitrate removal treatment to the water produced by Well 1, as specified in Section 116555 (a)(3) of the California Health and Safety Code, for the compliance period of _____. I complied with the public notification requirements as indicated below:
(Enter month(s) and year)

Required Action

Date Completed

Public Notification – Hand Delivery or Mail Delivery
(Circle one)

Public Notification – Continuous Posting
(Posting of notice within service area)

Signature of Water System Representative

Date

Attach a copy of the notice mailed or hand delivered and a copy of the notice posted within the system's service area.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.

APPENDIX 4. ACTION REPORT

Compliance Order No. 02_05_15R_004

Name of Water System: Quintero Labor Camp #1 (Wright Road)

System Number: 3500559

The action items, listed on the Division approved Corrective Action Plan, are completed as described below:

<u>Action Item</u>	<u>Due Date</u>	<u>Percent Complete</u>	<u>Remarks</u>

All the items listed above are anticipated to be completed by their respective scheduled completion dates: ☐ Yes ☐ No

Signature of Water System Representative

Date

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DIVISION

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.